

**Superior Court, County of  
Ventura  
Self-Help Legal Access Center**

**EVICTIIONS**

**(UNLAWFUL DETAINER)**

**2**

**Completing the Answer**  
Judicial Council Form No. 982.1(95)

# HOW TO COMPLETE YOUR ANSWER FORM

Complete the Answer form by typing the information requested. If you cannot type the forms, make sure you print neatly using black ink.

## Completing the Caption

The top part of the form is called the **caption** and it looks like this:

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>name and Address</i> ): (Your name) (Your address) ATTORNEY FOR ( <i>Name</i> ): In Pro Per	TELEPHONE NO.: (Your Telephone Number)	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</b> STREET ADDRESS: 800 South Victoria Avenue <b>or</b> 3855-F Alamo St. MAILING ADDRESS: CITY AND ZIP CODE: Ventura, CA 93009 <b>or</b> Simi Valley, CA 93063 BRANCH NAME: Ventura <b>or</b> East County		
Plaintiff: (Name of Landlord as shown on the Complaint) Defendant: (Name of Tenants as shown on the Complaint)		
<b>ANSWER - UNLAWFUL DETAINER</b>		CASE NUMBER: (CIV 000000)

- a. In the top box put your name, address and telephone number, just like the example above. Where it says “attorney for” put “In Pro Per.” This means you represent yourself.
- b. In the next box down, put the name and address of the court. You can find the name and address of the court on the Complaint which was given to you. The example above shows both court addresses. Cases filed in Ventura should use the Ventura address and cases filed in the East County should use the Simi Valley address.
- c. Complete the rest of the caption box with the names of the **parties** (plaintiff and defendants), and the case number just as they appear on the Complaint.

## 1. Identify Yourself

If there is more than one defendant listed in the **complaint** each must respond, or a **default** may be entered against the defendants who do not file an answer. Two defendants can share one answer form, but each must sign the answer and pay a separate filing fee. If you are filing the answer only for yourself, put your name in line 1 of the Answer form. If you are filing the answer for yourself and another defendant named in the Complaint, put both your names in line 1.

## 2. Responding to the Statements in the Complaint

Look at the second page of the **complaint** where it states the amount of money the landlord is asking for. If the amount is \$1,000 or less you can check box (a).

If the landlord is asking for more than \$1,000 you need to check box (b) and answer each paragraph of the complaint by any of the following:

A. Admitting the statements in the complaint are true. If you do this, you do not need to mark anything other than the box next to the letter (b).

B. Denying the statements in the complaint which are false. To do this, you need to put the number of the paragraphs in the complaint which are false under the “(1)” section.

C. If you do not know whether a statement in the complaint is true or false, you can put the paragraph number of that statement under the “(2)” section.

**If you have defenses to the eviction, go to the next section. If you have no defenses, skip to number 7.**

## IF YOU HAVE DEFENSES TO THE CASE

### 3. Stating Your Defenses

If you have defenses to the complaint, you must state them in your answer if you want the court to consider them at trial. Not all reasons for not paying rent are legally recognized defenses. Legal defenses stated in the answer are called *affirmative defenses*.

Section 3 of the answer form has a number of common affirmative defenses which apply to eviction cases. An explanation of the different affirmative defenses can be found in booklet (2a) entitled “*Legal Reasons Why I Should Not Be Evicted.*”

Mark the letters of the affirmative defenses which apply to your case, and then describe why you checked those defenses in section 3(j) on page 2 of the answer form.

### 4. Other Defenses

**If You Already Moved Out:** If you already moved out of the property, check box 4(a) and give the date you moved out.

**If the Landlord Failed to Maintain the Property:** If you checked box 3(a) of the affirmative defenses because the landlord did not maintain the property, and you believe the rent should be lowered, check box 4(b) and put the amount you think the rent should be reduced and why.

### 5. Telling the Court What You Want

If you checked box 3(a) of the affirmative defenses because the landlord failed to maintain the property, and you want the landlord to fix the problems, check 5(d). If you want the court to do something else in your case, state what you want in section 5(e).

## 6. Numbering the Pages

Only mark section 6 if you have attached extra pages to your answer. Extra pages could be used to explain defenses if you do not have enough room in section 3(j). If you want to you can attach copies of documents, such as letters, notices or other writings which you want the court to consider in deciding your case.

## FOR ALL ANSWERS

## 7. Completing the Short Caption and Signing

At the top of page 2 of the Answer form there is a small caption box like this:

Plaintiff name:	Case Number:
Defendant name:	

Put the landlord's name where it says "Plaintiff's name" and put the name of the first defendant named in the complaint where it says "Defendant's name." Put the case number in the box on the right side.

At the bottom of page 2 of the answer form, in section 7, type or print your name on the left side, and sign your name on the right side.

Use the next set of lines to type or print the names and signatures of any other defendants who are answering with you. **REMEMBER** each defendant named in the answer must pay a filing fee or separately qualify for a fee waiver.

Only one of the defendants who signed the answer needs to sign again below the "VERIFICATION." Type or print your name on the left, and sign on the right, just like you did above. When you sign here, you are **swearing under oath** that everything you put in the answer is true.